David W. Dykhouse Brian P. Guiney PATTERSON BELKNAP WEBB & TYLER LLP 1133 Avenue of the Americas New York, NY 10036-6710 Telephone: (212) 336-2000 Fax: (212) 336-2222

Attorneys for Asbury Atlantic, Inc. and Asbury-Solomons, Inc.

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

| In re: |) Chapter 11 Case |
|--------------------------------|---------------------------|
| LEHMAN BROTHERS HOLDINGS INC., |) Case No. 08-13555 (JMP) |
| Debtor. |) Jointly Administered |
| |) |
| <u>AFFIDAVIT</u> | OF SERVICE |

| STATE OF NEW YORK |) |
|--------------------|------|
| | :ss. |
| COUNTY OF NEW YORK |) |

MATTHEW M. FINNEGAN, being duly sworn, deposes and says:

- 1. I am over 18 years of age, not a party to this action, and am employed by the law firm of Patterson Belknap Webb & Tyler LLP, located at 1133 Avenue of the Americas, New York, New York 10036.
 - 2. On November 4, 2011, I electronically filed the following document:

Statement of Asbury Atlantic, Inc. and Asbury-Solomons, Inc. With Respect to Motion Pursuant to Sections 105, 363, and 365 of the Bankruptcy Code to Establish Procedures for the Consensual Amendement and Assumption of Certain Non-Terminated Prepetition Derivatives Contracts

with the Clerk of the Court using the CM/ECF system, which caused notification of such filing to be sent to all parties of record.

3. On November 4, 2011, I served the above document upon the following via overnight courier (Federal Express), directed to them at the addresses below:

WEIL, GOTSHAL & MANGES LLP 767 Fifth Avenue New York, New York 10153 Attn: Lori R. Fife, Esq.

MILBANK, TWEED, HADLEY & MCCLOY LLP 1 Chase Manhattan Plaza New York, New York 10005 Attn: Dennis F. Dunne, Esq.

4. On November 4, 2011, I caused a true copy of the above document to be served via hand delivery upon the following at the address indicated below:

OFFICE OF THE UNITED STATES TRUSTEE FOR THE SOUTHERN DISTRICT OF NEW YORK 33 Whitehall Street, 21st Floor New York, New York 10004

MATTHÈW M. FINNEGAN

Sworn to before me this 4th day of November, 2011

Notary/Public

EDWIN J. VALLEJO

Notary Public, State of New York

No. 02VA6169270

Qualified in New York County

Commission Expires June 25, 2015